



City of Houston
Administration & Regulatory Affairs Department
Proposed Revisions: Noise and Sound Ordinance
Stakeholder Meeting Agenda
May 26, 2011

Noise Issues in Houston

- Over the past three years, the Houston Police Department (HPD) has received and responded to an average of **58,000** noise complaint calls per year
- According to HPD, the top 10 noise complaints are as follows (not necessarily in order of call volume):
 - Barking Dogs
 - Car Music
 - Music from apartments and single family residences
 - Motorcycle noise
 - Landscaping and yard equipment noise
 - Bar music, particularly from outdoor patios
 - Outdoor events and backyard parties
 - Construction
 - A/C units
 - Noise unique to multifamily dwellings with common walls (hitting walls, jumping on floors)
 - Trash Collection
 - Bass sounds
 - Vibrations

A Two-Part Solution

- The City of Houston is taking a two-part approach to address these noise issues:
 - Refinement of administrative processes
 - Revising the Noise and Sound Level Regulation Ordinance, Chapter 30 of the Code of Ordinances

Proposed Ordinance Revisions

The following summarizes proposed amendments to the City of Houston's Sound and Noise Ordinance regulations. The proposed Ordinance revisions are primarily intended to support and facilitate enforcement of local sound regulations, while providing clarity to the regulated entities and the public in general. These are PROPOSED amendments, for discussion purposes only.



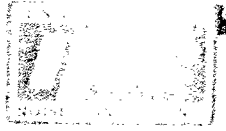
- a. Clarification of the definition of “property line”— Certain provisions of the current Ordinance instruct HPD officers to observe noise or use sound meters at property lines. HPD has proposed a definitional revision, which will allow officers to better address situations they have encountered since the last revisions to Chapter 30.
- b. Clarification of prohibited amplified sound from vehicles, definition of “plainly audible”— The current Ordinance prohibits amplified sound from a vehicle that is plainly audible at a distance of 50 feet. The City is proposing an additional clarification to that definition.
- c. Addition of low-frequency, bass noise standard— The City believes that certain low-frequency noise, such as the rhythmic bass component of music, can create unreasonable disturbance through vibration and rattling, even at low sound pressure level (decibel reading). Therefore, the City proposes the addition of the following provision, **which would also apply to noise permit holders:**
- *Regardless of the measurable dB(A) level established in this chapter...the creation of any sound causing persons occupying or using any property other than the property upon which the sound is being generated to be aware of vibrations or resonance caused by the sound shall be prima facie evidence of a sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, of safety of others in violation of this chapter.*
- d. Creation of extended daily permits and annual permits— The current Ordinance provides for nontransferable daily permits that allow for production, reproduction or amplification of sound up to 75 decibels during daytime hours (8 am to 10pm). The proposed revisions create the additional options of the extended daily permit and annual permit. The three permit options are summarized below:
- **Daily Permit** – valid for authorized date and time between the hours of 8 am and 10 pm - \$30.00 fee
 - **Extended Daily Permit** –valid for authorized dates and time between the hours of 8 am and 10 pm for a period of less than five consecutive days - \$60.00 fee
 - **Annual Permit** –one-year period from the date of permit issuance, valid for the 14-hour period between the hours of 8 am – 10:00 pm Sunday through Thursday; and the **15-hour period between the hours of 8 am and 11 pm Friday through Saturday*** - \$1,000.00 fee
- * Our previous revision granted this 1-hour extension to annual permit holders on Sunday nights as well. Community members raised concerns over this provision at the April 27 meeting, and the City has since amended its proposal to limit the extension to Friday and Saturday nights only.*
- e. Clarification of grounds for permit denial, due process— The current Ordinance does not specify grounds for permit denial during permit application review. The proposed Ordinance amendment outlines the grounds for denial of a permit at the time of application, as well as the applicant’s appellate due process.
- f. Creation of process for permit suspension or revocation, due process— The proposed Ordinance amendment sets out the grounds for revocation or suspension of a permit, as well as the permittee’s appellate due process. The City believes that the ability to suspend or revoke permits and to implement due process following permit suspension or revocation will encourage more permit holders to comply with the noise regulations in the Ordinance. According to the proposed revisions, a permit may be suspended or revoked if:

- The permit was issued in error;
- The applicant provided materially false or incomplete information on the permit application;
- The permittee failed to comply with all the applicable provision of this chapter; or
- The permittee or any agent or employee of the permittee responsible for the oversight or operation of the sound amplification equipment received two or more convictions **or entered two or more pleas of guilty or nolo contendere in return for a grant of deferred disposition*** within a thirty–six month period for violations of any provision this chapter.

A permittee whose permit was revoked would be required to wait a period of one year from the date of the revocation before becoming eligible to reapply for a sound amplification permit.

**At the April 27 meeting, community members raised concerns that permits would only be revoked following two or more convictions. The City has since clarified that suspension or revocation applies also to pleas of guilty or nolo contendere.*

- g. Penalty increase— The City proposes an increase in the maximum penalty fine from \$500 to \$1000, for a convicted violation of any provision of this chapter.



800-954-1998

Comparative Examples of Noise Levels

- Pre-Assembled Structures
- Parti-Wall Modular Acoustical Panels
- Flexi-Sorb Noise Control Curtains
- Outdoor Noise Barriers
- Acoustical Test & Measurement Cells
- Power Sports Dynamometer Test Cells
- Noise Barriers
- Flexible Noise Absorbers
- K-Foam
- Convuluted Foam
- Sorba-Glas Noise Absorber
- HVAC Duct Liner
- Noise Barriers & Composites
- Acoustic Foam Composites
- Sorba-Glas Composites
- Noise & Vibration Damping Materials

Comparative Examples of Noise Levels

Comparative Examples of Noise Sources, Decibels & Their Effects

Noise Source	Decibels	Effects
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB)	130	
Thunderclap, chain saw Oxygen torch (121 dB)	120	Painful. 32 times as loud as 70 dB
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB). Bell J-2A helicopter at 100 ft (100 dB)	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB), power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage 8 hr exp
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hr exposure.
Passenger car at 65 mph at 25 ft (77 dB), freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 ft	60	Half as loud as 70 dB. Fairly quiet
Quiet suburb, conversation at home Large electrical transformers at 100 ft	50	One-fourth as loud as 70 dB
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB
Quiet rural area	30	One-sixteenth as loud as 70 dB Very Quiet
Whisper, rustling leaves	20	
Breathing	10	Barely audible

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[modified from <http://www.wenet.net/~hybid/levels.html>] on 2/2000
SOURCES: Temple University Department of Civil/Environmental Engineering (www.temple.edu/departments/CE/TP/environ10.html) and Federal Agency Review of Selected Airport Noise Analysis Issues, Federal Interagency Committee on Noise (August 1992). Source of the information is attributed to Outdoor Noise and the Metropolitan Environment, M.C. Branch et al., Department of City Planning, City of Los Angeles, 1979

Back | Top | Home

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